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## PATENT APPLICATION TRANSMITTAL LETTER

Patent Group  
Foley, Hoag & Eliot LLP  
One Post Office Square  
Boston, MA 02109-2170

Docket Number (Optional)

EMR-00301

To the Commissioner for Patents:

Transmitted herewith for filing under 35 U.S.C. 111 and 37 CFR 1.53 is the patent application of  
Kowalchik, Mike; and Cardente, John

entitled Data Storage Device

Enclosed are:

- ☒ 21 pages of written description, claims and abstract.  
☒ 12 sheets of drawings.  
☐ an assignment of the invention.  
☒ executed declaration of the inventors.  
☐ a certified copy of a \_\_\_\_\_ application.  
☒ power of attorney.  
☒ assignment of inventors.  
☒ information disclosure statement and cited references.  
☒ non-publication request  
☒ A check for \$872.00 (patent application filing fee) and a check for \$40 (assignment recordation fee);

## CLAIMS AS FILED

	NUMBER FILED	NUMBER EXTRA	RATE	FEE
BASIC FEE (37 CFR 1.16(a))			\$740	\$710.00
TOTAL CLAIMS (37 CFR 1.16(c))	29 - 20 =	9	x \$18	\$
INDEPENDENT CLAIMS (37 CFR 1.16(b))	3 - 3 =	0	x \$84	\$0
MULTIPLE DEPENDENT CLAIM PRESENT	37 CFR 1.16(d)		\$280	\$0
			<b>TOTAL[PM1]</b>	<b>\$872.00</b>
If applicant has small entity status under 37 CFR 1.9 and 1.27 then divide total fee by 2, and enter amount here.			<b>SMALL ENTITY</b>	<b>\$</b>

☒ A check in the amount of \$872.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **06-1448** as described below. I have enclosed a duplicate copy of this sheet.

- ☐ Charge the amount of \$ \_\_\_\_\_ as filing fee.  
☒ Credit any overpayment.  
☒ Charge any additional filing fees required under 37 CFR 1.16 and 1.17.  
☐ Charge the issue fee set in 37 CFR 1.18 at the mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b)

## Certificate of Express Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, postage prepaid, "Post Office to Addressee", in an envelope addresses to the Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

*William Hagan*

Express Mail Label: EL 719919001 US  
Date of Deposit: October 23, 2001

*Robert A. Greenberg*

Robert A. Greenberg  
Reg. No. 44,133

Customer No: 25181

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor		Kowalchik
	Title	Data Storage Device	
	Atty Docket Number		EMR-00301

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

October 23, 2001

Date

Robert A. Greenberg  
Signature

Robert A. Greenberg

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**